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Miss G. Pats Due  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/822,868	04/13/2004	Pyong-yong Seong	1793.1243

CONFIRMATION NO. 2656

## FORMALITIES LETTER



\*OC00000013047970\*

Date Mailed: 06/24/2004

21171

STAAS &amp; HALSEY LLP

SUITE 700

1201 NEW YORK AVENUE, N.W.

WASHINGTON, DC 20005

AUG 06 2004

STAAS &amp; HALSEY

JUN 28 2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/09/2004 JBALINAN 00000044 10822868

FILED UNDER 37 CFR 1.53(b)

01 FC:1001	770.00 OP
02 FC:1051	130.00 OP
03 FC:1201	86.00 OP
04 FC:1202	234.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$320 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1220 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$320**

- **\$86** for **1** independent claims over 3.
- **\$234** for **13** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

# USPTO TO PROVIDE ELECTRONIC ACCESS TO CITED U.S. PATENT REFERENCES WITH OFFICE ACTIONS AND CEASE SUPPLYING PAPER COPIES

In support of its 21<sup>st</sup> Century Strategic Plan goal of increased patent e-Government, beginning in June 2004, the United States Patent and Trademark Office (Office or USPTO) will begin the phase-in of its E-Patent Reference program and hence will: (1) **provide downloading capability of the U.S. patents and U.S. patent application publications cited in Office actions** via the E-Patent Reference feature of the Office's Patent Application Information Retrieval (PAIR) system; and (2) **cease mailing paper copies of U.S. patents and U.S. patent application publications with Office actions** (in applications and during reexamination proceedings) except for citations made during the international stage of an international application under the Patent Cooperation Treaty (PCT). In order to use the new E-Patent Reference feature applicants must: (1) obtain a digital certificate and software from the Office; (2) obtain a customer number from the Office; and (3) properly associate patent applications with the customer number. Alternatively, copies of all U.S. patents and patent application publications can be accessed without a digital certificate from the USPTO web site, from the USPTO Office of Public Records, and from commercial sources. The Office will continue the practice of supplying paper copies of foreign patent documents and non-patent literature with Office actions. Paper copies of cited references will continue to be provided by the USPTO for international applications during the international stage.

## Schedule

June 2004  
July 2004  
August 2004

TCs 1600, 1700, 2800 and 2900  
TCs 3600 and 3700  
TCs 2100 and 2600

All U.S. patents and U.S. patent application publications are available on the USPTO web site. However, a simple system for downloading the cited U.S. patents and patent application publications has been established for applicants, called the E-Patent Reference system. As E-Patent Reference and Private PAIR require participating applicants to have a customer number, retrieval software and a digital certificate, all applicants are strongly encouraged to contact the Patent Electronic Business Center to acquire these items. To be ready to use this system by June 1, 2004, contact the Patent EBC as soon as possible by phone at 866-217-9197 (toll-free), 703-305-3028 or 703-308-6845 or electronically via the Internet at [ebc@uspto.gov](mailto:ebc@uspto.gov).

## **Other Options**

The E-Patent Reference function requires the applicant to use the secure Private PAIR system, which establishes confidential communications with the applicant. Applicants using this facility must receive a digital certificate, as described above. Other options for obtaining patents which do not require the digital certificate include the USPTO's free Patents on the Web program (<http://www.uspto.gov/patft/index.html>). The USPTO's Office of Public Records also supplies copies of patents for a fee (<http://ebiz1.uspto.gov/oems25p/index.html>). Commercial sources also provide U.S. patents and patent application publications.

*For complete instructions see the Official Gazette Notice, USPTO TO PROVIDE ELECTRONIC ACCESS TO CITED U.S. PATENT REFERENCES WITH OFFICE ACTIONS AND CEASE SUPPLYING PAPER COPIES, on the USPTO web site.*



S&amp;H Form: PTO/SB/17 (10/03)

<b>RESPONSE TO NOTICE TO FILE MISSING PARTS</b>	Attorney Docket No.	1793.1243
	Application Number	10/822,868
	Filing Date	April 13, 2004
	First Named Inventor	Pyong-yong Seong
	Group Art Unit	

Title:	OPTICAL PICKUP, OPTICAL RECORDING AND/OR REPRODUCING APPARATUS INCLUDING THE SAME, AND METHOD FOR REALIZING COMPATIBLE TRACKING
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Pursuant to 37 C.F.R. § 1.53(f) and in response to the U.S. Patent and Trademark Office Notice to File Missing Parts of Nonprovisional Application mailed June 24, 2004 for the above-identified application, enclosed are the following:

- ☒ RETURN COPY of Notice to File Missing Parts of Nonprovisional Application
- ☒ Executed Combined Declaration/Power of Attorney executed by the inventor(s) for completing the missing parts of the subject application. The undersigned registered attorney states that the subject application is the application which the inventor(s) executed by signing the attached Declaration.
- ☐ Formal Drawings (\_\_\_ Sheets; Figs \_\_\_\_)
- ☐ English-language translation of application (with Translator's Statement (pages \_\_\_))
- ☐ Verified Statement Claiming Small Entity Status

Enclosed is a payment of the following:

- |   |                  |
|---|------------------|
| <input checked="" type="checkbox"/> The filing fee as set forth in 37 C.F.R. § 1.16(a)        | \$ 770.00        |
| <input checked="" type="checkbox"/> The additional claim(s) fee (13 claims over 20)           | \$ 234.00        |
| <input checked="" type="checkbox"/> The additional independent claim(s) fee (1 claims over 3) | \$ 86.00         |
| <input type="checkbox"/> Multiple dependent claims  | \$               |
| <input type="checkbox"/> Petition for Extension of Time (___-month)                           | \$               |
| <input checked="" type="checkbox"/> Assignment Recordation Fee                                | \$40.00          |
| <input checked="" type="checkbox"/> Surcharge as set forth in 37 C.F.R. § 1.16(e)             | \$130.00         |
| <b>SUBTOTAL FEES:</b>   | <b>\$1260.00</b> |
| <input type="checkbox"/> Reduction by 50% for filing by small entity (37 CFR 1.27)            | .00              |
| <b>SUBTOTAL FEES:</b>   | <b>\$1260.00</b> |
| <b>TOTAL FEES DUE:</b>  | <b>\$1260.00</b> |

Since the Notice to File Missing Parts of Nonprovisional Application set an original due date of August 24, 2004, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$110)); (2 months (\$420)); (3 months (\$950)); (4 months (\$1,480)); (5 months (\$2,010)):

**METHOD OF PAYMENT**

- ☒ Check enclosed as payment.  
☐ Charge "TOTAL FEES DUE" to the Deposit Account No. 19-3935, below.

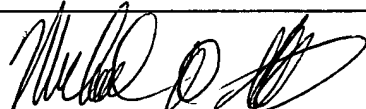
**AUTHORIZATION**

- ☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 CFR 1.16 or 1.17 necessary to maintain pendency of the present application to:

Deposit Account No.: 19-3935

Deposit Account Name: STAAS & HALSEY LLP

**SUBMITTED BY: STAAS & HALSEY LLP**

Typed Name	Michael D. Stein	Reg. No.	37,240
Signature		Date	August 6, 2004